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July 17, 2025

**BY ECF**

The Honorable Laura Taylor Swain  
Chief District Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

*Great Western Insurance Company v. Graham et al.*  
No. 1:18-cv-06249-LTS-SN (S.D.N.Y.)

Dear Chief Judge Swain:

## **MEMO ENDORSED**

This firm represents Plaintiff Great Western Insurance Company in the above-captioned action. Earlier today, we filed a Motion to Amend the operative Second Amended Complaint in this action in order to streamline the case (dropping a number of defendants and claims) and to conform the pleadings and claims to evidence identified in fact and expert discovery, including certain new claims against certain existing defendants. *See* ECF Nos. 421 to 423.

On June 10, 2025, this Court endorsed and entered a Stipulation and Order staying Plaintiff's claims against Defendants Cygnet 001 Master Trust, Cygnet 001 Master Trust Series 2011-A, Cygnet 001 Master Trust Series 2011-C, and Cygnet 001 Master Trust Series 2013-A, pursuant to a Settlement Agreement. ECF No. 420. The Stipulation and Order expressly provides that Plaintiff may, in its sole discretion, lift the stay of its claims against those entities and that the foregoing Defendants will agree to such lift of stay. *See id.* ¶ 5.

By this letter, Plaintiff respectfully requests that the Court lift that stay for the limited purpose of considering Plaintiff's Motion to Amend the operative Second Amended Complaint as against Defendants Cygnet 001 Master Trust Series 2011-C ("Series 2011-C"), and Cygnet 001 Master Trust Series 2013-A ("Series 2013-A"). As set forth in greater detail in the Notice of Motion to Amend (ECF No. 421), Series 2011-C and Series 2013-A have not consented to Plaintiff's proposed amendment of the operative complaint.

This limited lift of stay would end upon disposition by the Court of Plaintiff's Motion to Amend. If the Motion to Amend is granted, Defendants Cygnet 001 Master Trust and



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Cygnets 001 Master Trust Series 2011-A would be dropped from this case, and Plaintiff's claims against Series 2011-C and Series 2013-A, as set forth in the proposed Third Amended Complaint, would be stayed under the same terms and conditions as currently exist in the existing Stipulation and Order.

As required by subdivision 1(b) of the Court's Individual Practices, the undersigned counsel has consulted with counsel for Series 2011-C and Series 2013-A regarding lifting the stay and the contents of this letter.

Accordingly, Plaintiff respectfully requests that the Court endorse this request for a limited lift of the June 10, 2025 stay for the limited purpose of Plaintiff's July 17, 2025 Motion to Amend.

We thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Partha P. Chattoraj', written in a cursive style.

Partha P. Chattoraj

cc: All counsel of record (by ECF)

The foregoing request is granted. The June 10, 2025 stay is lifted for the limited purpose of Plaintiff's July 17, 2025 Motion to Amend and subject to the conditions discussed above.

SO ORDERED.

7/21/2025

/s/ Laura Taylor Swain, Chief USDJ